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Executive summary

Note by the Secretariat

Addendum

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II. Executive summary

Tunisia

1. Introduction: Overview of the legal and institutional framework of Tunisia in the context of implementation of the United Nations Convention against Corruption

Tunisia signed the United Nations Convention against Corruption (the Convention) on 30 March 2004 and ratified it on 24 March 2008. Tunisia deposited its instrument of ratification with the Secretary-General on 23 September 2008.

Tunisia is a civil law country. The primary sources of law are the Constitution, the laws passed by Parliament and international law. The national legal framework to combat corruption includes provisions contained in several laws, including the Criminal Code, the Code of Criminal Procedure and Act No. 2003-75 of 10 December 2003 on supporting international efforts to combat terrorism and suppress money-laundering (the LBC Act).

Under article 20 of the new Constitution of 27 January 2014, the treaties approved by Parliament and ratified have a supra-legislative and infra-constitutional authority. The provisions of such treaties, including the provisions of the Convention, and with the exception of those that require the imposition of a penalty or coercive measure, are thus automatically applicable, without needing to be transposed into Tunisian law.

The main competent bodies in the fight against corruption are, alongside members of the national legal service and staff of the criminal investigation department, the National Authority for Combating Corruption (INLCC), the Judicial and Financial Unit at Tunis Court of First Instance and the Tunisian Financial Analysis Committee (CTAF) at the Central Bank. It should be noted that the new Constitution provides, at article 130, for the creation of a new good governance and anti-corruption authority.

2. Chapter III: Criminalization and law enforcement

2.1. Observations on the implementation of the articles under review

Bribery and trading in influence (arts. 15, 16, 18 and 21)

Article 91 of the Criminal Code criminalizes the bribery of national public officials, but the provisions of this article do not explicitly cover the act of offering or acts committed directly or indirectly. This gap is filled by paragraph 2 of the same article, which punishes intermediaries. Article 91 does not explicitly criminalize promises or offers made by another person or entity.

The Criminal Code criminalizes the accepting or soliciting of bribes by national public officials (articles 83, 84, 85, 87 and 88).

Tunisian law does not provide for the criminalization of bribery concerning foreign public officials or officials of public international organizations.

Article 87 of the Criminal Code criminalizes trading in influence, but its provisions are limited to accepting remuneration, and do not cover soliciting or acts of promising, offering and giving.

Money-laundering, concealment (arts. 23 and 24)

Article 62 of the LBC Act criminalizes laundering the proceeds of crime in accordance with the provisions of the Convention. This article does not differentiate between money-laundering committed by the perpetrator of the predicate offence (laundering of own profits or "self-laundering") and that committed by a third party.

Any crime or offence could constitute an underlying offence and the provisions on money-laundering apply even if the underlying offence has been committed abroad.

The general provisions of the Criminal Code on participation (article 32), conspiracy (articles 131 and 132) and attempt (article 59) are applicable to the offence of laundering.

Tunisia has not submitted to the Secretary-General of the United Nations copies of its money-laundering legislation.

Concealment is also covered in article 32 of the Criminal Code as an act of aiding and abetting the commission of an offence.

Embezzlement, abuse of functions and illicit enrichment (arts. 17, 19, 20 and 22)

The provisions of articles 96, 99 and 100 of the Criminal Code criminalize the embezzlement of property by public officials. All types of property are covered, whether private or public.

Tunisia has criminalized various acts that might be considered as constituting an abuse of functions (articles 95 to 97 bis of the Criminal Code). In addition, it is considered an aggravating circumstance when a public official or person treated as such makes use of means or abilities inherent to his or her function in order to commit an offence (article 114 of the Criminal Code).

Although there is no provision to criminalize illicit enrichment under Tunisian law, a draft law is currently under consideration by the Government.

Tunisian legislation criminalizes various acts of embezzlement of property in the private sector such as misuse of corporate property, taking by fraud and breach of trust (articles 258, 263, 297 and 300 of the Criminal Code; article 223 of the Code of Commercial Companies).

Obstruction of justice (art. 25)

The provisions of article 244 of the Criminal Code cover in general terms the use of any means to obtain false testimony. However, Tunisian law does not criminalize the use of physical force, threats or intimidation or the promise, offering or giving of an undue advantage in order to interfere in the giving of testimony or to obtain or interfere in the production of evidence.

Article 116 of the Criminal Code criminalizes the use or threat of use of violence against a public official in order to force him or her to perform or refrain from performing an act within his or her functions.

Liability of legal persons (art. 26)

Concerning offences established in accordance with the Convention, Tunisia has established the criminal liability of legal persons for money-laundering only

(article 66 of the LBC Act). Such liability is without prejudice to the criminal liability of the natural persons who committed the offences.

Furthermore, the articles of the Code of Obligations and Contracts relating to civil liability also apply to legal persons (articles 82, 83 and 107).

Tunisian law provides appropriate sanctions against legal persons only with regard to money-laundering.

Participation and attempt (art. 27)

Article 32 of the Criminal Code criminalizes aiding and abetting and is applicable to offences established in accordance with the Convention.

The attempt to commit any offence for which the law provides a penalty of more than five years' imprisonment is punishable under article 59 of the Criminal Code. That article covers the offences of accepting or soliciting bribes by national public officials; embezzlement, misappropriation or other illegal use of property by public officials; certain breaches of trust; and money-laundering.

Preparatory acts for an offence are not criminalized.

Prosecution, adjudication and sanctions; cooperation with law enforcement authorities (arts. 30 and 37)

For corruption offences, Tunisia has adopted penalties ranging from 1 to 20 years of imprisonment, in addition to financial sanctions and ancillary penalties. Immunities do not constitute an impediment to the prosecution of such offences.

Tunisia applies the principle of discretionary prosecution. Articles 28, 30 and 36 of the Code of Criminal Procedure govern the exercise of that power.

Regarding procedures for release pending trial, article 86 of the Code of Criminal Procedure allows the investigating judge to issue a release order at any stage of the proceedings with or without bail, after consultation with the Public Prosecutor.

The Minister of Justice may, with the assent of the Parole Board, grant release on parole to a detainee who has served half or two thirds of his or her sentence (articles 353 to 360 of the Code of Criminal Procedure).

Under article 56 of the General Civil Service Regulations, a civil servant who commits an offence under ordinary law shall be immediately suspended from his or her duties. The case must be referred without delay to the Public Prosecutor's Office, particularly in cases of corruption, misappropriation of public funds, forgery or breach of professional confidentiality.

Removal from public office is an additional penalty which the Court is obliged to impose in cases of accepting or soliciting bribes and which it may optionally impose in cases of abuses of power, misappropriation of public funds and money-laundering. Those provisions also apply to companies in which the State holds more than a 50 per cent stake.

Disciplinary measures ranging from a warning right up to dismissal without suspension of retirement pension rights may be applied in addition to criminal sanctions (article 51 of the General Civil Service Regulations).

Tunisia has adopted a set of measures to promote the reintegration of convicted offenders into society.

Article 93 of the Criminal Code provides for exemption from punishment of a briber or intermediary who, prior to any proceedings, voluntarily reveals the corruption offence and, at the same time, provides evidence thereof. However, this article applies only to corruption offences in the strict sense and not to the other offences mentioned by the Convention (money-laundering, concealment, embezzlement, abuse of functions, obstruction of justice). Similarly, Tunisia does not have measures to encourage persons who participate or who have participated in the commission of an offence to cooperate with the authorities in order to deprive the perpetrators of the offence of the proceeds of the offence and to recover those proceeds.

Tunisia does not grant immunity from prosecution and does not provide for the reduction of sentences for a person who cooperates with an investigation or with the prosecution of offences.

Tunisian law does not provide protection for persons who cooperate with law enforcement authorities.

Protection of witnesses and reporting persons (arts. 32 and 33)

Tunisian law does not provide an integrated system to ensure protection from potential retaliation or intimidation for victims, witnesses, or experts who give testimony, or for their relatives or other persons close to them. However, there is provision in certain legislative instruments for specific protection measures.

The use of appropriate visual or auditory means of communication to hear witnesses and experts is only provided for in trials concerning terrorism.

Tunisia does not have appropriate measures to ensure protection against unjustified treatment for any person who reports corruption offences to the authorities.

Freezing, seizing and confiscation; bank secrecy (arts. 31 and 40)

Any proceeds of an offence must be confiscated, including property that substitutes for the proceeds, as well as profits and other benefits derived from the proceeds of the offence or from property the value of which corresponds to that of such proceeds (articles 5, 28, 29, 94 and 98 of the Criminal Code, article 67 of the LBC Act).

Confiscation also applies to property, equipment or other instrumentalities used in or destined for use in offences.

Tunisian law confers broad powers of investigation on the investigating judge, the INLCC and the CTAF to identify, locate, freeze or seize the proceeds and instrumentalities of the offence. Bank secrecy is not enforceable against those authorities.

Seized property is administered in accordance with the provisions of articles 97 to 100 of the Code of Criminal Procedure, while confiscated property is allocated to the State (article 28 of the Criminal Code). Property that has been confiscated and returned to the State is managed by the Confiscated Property Management Committee established by Decree Law No. 2011-68 of 14 July 2011.

Tunisian law does not allow reversal of the burden of proof as it contravenes the principle of the presumption of innocence (article 27 of the Constitution).

Statute of limitations; criminal record (arts. 29 and 41)

The statute of limitations period in which to commence criminal proceedings depends on the classification of the offence. This period is ten years for crimes, three years for misdemeanours and one year for petty offences (articles 3, 4 and 5 of the Code of Criminal Procedure). All offences criminalized under the Convention are classified as crimes or misdemeanours.

Although Tunisian law does not expressly provide for the suspension of the statute of limitations in cases where the offender has evaded the administration of justice, article 6 of the Code of Criminal Procedure provides that the statute of limitations be interrupted by any investigative measure or any step in criminal proceedings, even with regard to individuals who are not involved in such measure or step.

Legislation does not provide for the possibility of taking into account previous convictions in another State of an alleged offender.

Jurisdiction (art. 42)

Tunisia has established its jurisdiction over cases referred to in article 42, with the exception of corruption offences committed against the country, corruption offences committed abroad by a stateless person who has his or her habitual residence in its territory, and where participation in a money-laundering offence is committed outside its territory with a view to committing that offence in its territory.

The *aut dedere aut judicare* principle is not codified in Tunisia.

Consequences of acts of corruption; compensation for damage (arts. 34 and 35)

Contracts of which the cause is unlawful (contrary to morality, public policy or the law) are considered null and void.

In addition, several legal provisions allow corruption to be considered a relevant factor in legal proceedings to annul or rescind a contract or withdraw a concession (inter alia article 98 of the Criminal Code, article 200 of the Code of Commercial Companies, articles 62, 67 and 539 of the Code of Obligations and Contracts, as well as other articles of decrees relating to public procurement).

The Code of Criminal Procedure, in particular articles 1 and 7, allows any person who is the victim of a crime, including of acts of corruption, to file a civil action in criminal proceedings to request compensation for damage suffered.

Specialized authorities and inter-agency coordination (arts. 36, 38 and 39)

Tunisia has several bodies competent in combating corruption.

Alongside members of the national legal service and staff of the criminal investigation department, Tunisia very recently established the INLCC as an independent body with powers to inquire into and investigate cases of corruption.

The institutional framework has been strengthened through the establishment of a judicial and financial unit at Tunis Court of First Instance to prosecute and

investigate complex and multiple-branched cases of corruption. The CTAF exists within the Central Bank and plays an important role in combating money-laundering and corruption.

In the view of the Tunisian authorities, those various bodies receive adequate training and resources, and are sufficiently independent.

Tunisia has legal provisions available that ensure effective cooperation between national authorities, inter alia the provisions of article 29 of the Code of Criminal Procedure, which requires all public officials to report to the Public Prosecutor offences that have come to their attention in the line of duty, as well as articles 11 and 34 of Decree-Law No. 120 of 14 November 2011 on anti-corruption, and article 81 of the LBC Act.

With regard to the cooperation of the private sector, article 35 of Decree-Law No. 120 provides for a general obligation on any person to report cases of corruption of which he or she has become aware to the President of the INLCC. Similarly, article 85 of the LBC Act provides for an obligation on banking financial institutions as well as other private sector institutions to submit a statement to the CTAF on any suspicious transactions that might be linked to the proceeds of unlawful acts.

Tunisia has also established a web portal for anonymous reports of corruption.

2.2. Successes and good practices

Overall, the following successes and good practices in implementing chapter III of the Convention are highlighted:

- The establishment of a web portal for anonymous reports of corruption (article 39, paragraph 2);
- Cooperation between the public sector, private sector and civil society in the fight against corruption appears to be active and inclusive (article 39, paragraph 2).

2.3. Challenges in implementation

The following steps could further strengthen existing anti-corruption measures:

- Adopt legislative measures to ensure that the offence of bribery of national public officials covers cases of promises or gifts for another person or entity. It would also be useful to explicitly include in the definition acts of offering and acts committed directly or indirectly (article 15, paragraph a);
- Criminalize the bribery of foreign public officials and officials of public international organizations (article 16, paragraph 1);
- Consider criminalizing the solicitation or acceptance of bribes by foreign public officials and officials of public international organizations (article 16, paragraph 2);
- As regards trading in influence, Tunisia is encouraged to consider revising the wording of article 87 of the Criminal Code to extend the scope of criminalization to solicitation as well as acts of promising, offering and giving (article 18);

- Submit to the Secretary-General of the United Nations a copy of the legislation on money-laundering (article 23, paragraph 2 (d));
- Tunisia is encouraged to accelerate the process of adopting legislation to criminalize illicit enrichment in accordance with the provisions of the Convention (article 20);
- Criminalize the use of physical force, threats or intimidation and the promise, offering or giving of an undue advantage in order to interfere in the giving of testimony or to obtain or interfere in the production of evidence (article 25, paragraph a);
- Tunisia is encouraged to broaden the criminal liability of legal persons (article 26, paragraph 1);
- Provide effective, proportionate and dissuasive sanctions applicable to legal persons involved in offences established in accordance with the Convention (with the exception of money-laundering) (article 26, paragraph 4);
- Adopt adequate measures to better regulate the administration of frozen, seized or confiscated assets (article 31, paragraph 3);
- With regard to the protection of witnesses and reporting persons (articles 32, 33 and 37, paragraph 4):
  - Adopt the necessary measures to ensure effective protection from potential retaliation or intimidation for witnesses and experts and, where appropriate, for their relatives and other persons close to them. Such measures must also apply to victims insofar as they are witnesses and to accused persons who assist in investigation or prosecution;
  - Consider adopting the necessary measures to ensure protection against unjustified treatment of any person who reports corruption offences;
- Take appropriate measures to encourage persons who participate or who have participated in the commission of an offence established in accordance with the Convention to supply information useful to competent authorities for investigative and evidentiary purposes (with the exception of corruption offences in the strict sense), and to provide factual, specific help to competent authorities that may contribute to depriving offenders of the proceeds of crime and to recovering such proceeds (article 37, paragraph 1);
- Consider the possibility of mitigating punishment of an accused person who substantially cooperates with the investigation or prosecution (article 37, paragraph 2);
- Consider providing for the possibility of granting immunity from prosecution to a person who substantially cooperates with the investigation or prosecution (article 37, paragraph 3);
- Tunisia is encouraged to codify the *aut dedere aut judicare* principle (article 42, paragraph 4).

2.4. Technical assistance needs identified to improve implementation of the Convention

- Good practices/lessons learned with regard to articles 15, 16, 18, 20, 21, 22, 25, 26, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41 and 42;
- Model legislation with regard to articles 16, 18, 20, 21, 22, 25, 26, 30, 32, 33, 36, 37, 39 and 41;
- Drafting of an action plan for implementing the Convention with regard to articles 15, 16, 18, 20, 21, 22, 25, 26, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41 and 42;
- Legal advice with regard to articles 20, 21, 22, 25, 26, 30, 31, 33, 36, 37, 38, 39, 40, 41 and 42;
- On-site assistance by an anti-corruption expert with regard to articles 15, 16, 18, 20, 21, 22, 25, 26, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41 and 42;
- Capacity-building assistance for national authorities with regard to articles 20, 22, 26, 30, 31, 32, 33, 37, 40 and 42;
- Model agreement or arrangement with regard to articles 32 and 37;
- With regard to article 21, develop a sociological field study to identify the magnitude of the phenomenon and the sectors concerned;
- With regard to article 30, organize special training for civil society in order to provide it with the necessary means to fulfil its role in the rehabilitation of individuals convicted of crimes of corruption;
- With regard to article 36, organize training for supervisors of bodies specializing in the fight against corruption with a view to training them in assessing their independence and the training of their human resources.

3. Chapter IV: International cooperation

Tunisia has undertaken procedures relating to mutual legal assistance and extradition requests in corruption cases, but it is difficult to assess international cooperation practices in detail due to the lack of relevant data and statistics.

3.1. Observations on the implementation of the articles under review

Extradition (art. 44)

Unless otherwise provided for in treaties, extradition is governed by the provisions of Chapter VIII of Book IV of the Code of Criminal Procedure (articles 308-330).

The extradition procedure involves both a judicial and an administrative procedure. Extradition requests must be sent to the government through diplomatic channels. After verification of documents, the request is transmitted through the Ministry of Foreign Affairs to the Ministry of Justice, which checks the legality of the application. When the Secretary of State for Justice considers that it is appropriate to cooperate with the extradition request, he or she transmits the request to the Advocate-General, who immediately takes the steps necessary to make the arrest.

The consideration of extradition requests falls within the competence of the Indictment Chamber of Tunis Court of Appeal. The foreign national appears before the Chamber within 15 days following service of the arrest warrant.

If, during his or her appearance, the foreign national consents to being handed over, that declaration is noted on the record and it is the responsibility of the Ministry of Justice to take a decision that it deems appropriate.

Otherwise, the Indictment Chamber, whose ruling is not subject to appeal, shall give its reasoned opinion on the extradition request. If it concludes that the legal conditions are not met, or that a manifest error has been made, it issues an unfavourable ruling. This verdict is final and extradition may not be granted.

Where the ruling is in favour, the Government is free to grant extradition or not. If extradition is decided upon, the Secretary of State for Justice proposes a decree permitting extradition for the signature of the President of the Republic.

In urgent cases and at the direct request of the judicial authorities of the requesting State, the public prosecutors may, simply on the basis of notice conveyed by any means capable of producing a written record, order the provisional arrest of the foreign national.

In principle, Tunisian law does not allow extradition if the requirement of dual criminality is not met (article 311 of the Code of Criminal Procedure). However, some treaties contain exceptions.

The offence giving rise to the request must be liable under Tunisian law to criminal or correctional punishment (all offences criminalized under the Convention are liable to such punishment) and under the law of the requesting State, to imprisonment for a period of six months or longer for the totality of the offences for which the request has been made. In the case of conviction, the penalty imposed by the court of the requesting State must be imprisonment for a period of two months or longer (article 311 of the Code of Criminal Procedure).

While Tunisia does not make extradition conditional on the existence of a treaty, it sees the Convention as a legal basis for extradition. Anyone committing an offence established in accordance with the Convention, even in the absence of dual criminality, may be extradited, by direct application of the provisions of the Convention (article 20 of the Constitution and article 308 of the Code of Criminal Procedure). Tunisian law does not regard any of those offences as political offences.

Tunisia shall detain any person present in its territory whose extradition is requested (article 318 of the Code of Criminal Procedure).

Tunisia does not extradite its nationals (article 25 of the Constitution and article 312 of the Code of Criminal Procedure) and there are no exceptions to that rule that could allow even the conditional extradition of a national. The *aut dedere aut judicare* principle is recognized, but not codified.

The implementation of foreign criminal convictions may exceptionally be considered where there is a treaty regulating the matter.

Although the ruling of the Indictment Chamber is final and not subject to appeal, fair trial guarantees are provided for in the Constitution (article 27) and the Code of Criminal Procedure and apply in extradition proceedings.

The Constitution of 2014 contains several articles that prohibit any form of discrimination (inter alia articles 27, 29, 30, 46, 49), although those provisions are of a general nature.

Tunisian law and the bilateral treaties to which Tunisia is a party do not provide for the possible refusal of extradition on the sole ground that the offence is considered to also involve fiscal matters.

Tunisia has concluded numerous bilateral treaties on extradition and is a party to several multilateral treaties on the matter.

Transfer of sentenced persons; transfer of criminal proceedings (arts. 45 and 47)

Tunisia has not entered into any bilateral or multilateral agreements on the transfer of sentenced persons.

Tunisia does not have legislation on the transfer of criminal proceedings.

Mutual legal assistance (art. 46)

Tunisia has no detailed legislation governing the issue of mutual legal assistance. This issue is governed by the general provisions of Chapter IV of Book IV of the Code of Criminal Procedure (articles 331-335), as well as the provisions of relevant multilateral or bilateral treaties to which Tunisia is a party.

Tunisia has designated the Ministry of Justice (Criminal Affairs Directorate) as its central authority. The acceptable languages are Arabic and French.

Requests for legal assistance are received through diplomatic channels. After verification of documents, the request is transmitted through the Minister of Foreign Affairs to the Minister of Justice who transfers it to the competent judge for implementation.

In urgent cases, requests may be communicated directly between judicial authorities, by any means capable of producing a written record, provided that the requests are transmitted subsequently through diplomatic channels. In urgent cases, requests may also be sent via INTERPOL.

Tunisia may provide mutual assistance, regardless of the existence of a treaty and in the absence of dual criminality. Moreover, all proceedings that can be conducted in a domestic criminal case may also be conducted on the basis of a request for mutual legal assistance.

With the exception of money-laundering, Tunisia cannot provide mutual legal assistance concerning the offences covered by the Convention for which a legal person may be held liable.

Domestic law does not contain specific provisions on deadlines for executing requests, or for monitoring the status and progress thereof on behalf of the requesting State.

While the Tunisian authorities may provide information voluntarily without prior request, this practice is not regulated.

There are no domestic laws on either the confidentiality of information and evidence transmitted in the course of a request for mutual legal assistance, or on

restrictions on their use. However, some bilateral legal agreements include provisions on the matter.

Although there are no rules governing hearings via videoconference, Tunisia has previously entered into bilateral arrangements through which it responded to requests for legal assistance sent using video links.

Bank secrecy and the fact that a request for mutual legal assistance involves fiscal matters are not recognized as grounds for refusal.

The transfer of detainees or persons serving a sentence is possible under article 335 of the Code of Criminal Procedure. Such transfers are mainly regulated either by the provisions of the Convention through its direct application or by the provisions of bilateral treaties.

Tunisia has concluded numerous bilateral and multilateral treaties on mutual legal assistance.

Law enforcement cooperation; joint investigations; special investigative techniques (arts. 48, 49 and 50)

There are numerous channels of direct communication between Tunisian law enforcement authorities and their foreign counterparts, including through Tunis INTERPOL and the CTAF.

Standard communication channels are used in addition to secure channels like INTERPOL's I-24/7 data exchange system and the Egmont system.

Tunisia has concluded numerous treaties on direct cooperation between law enforcement agencies, and it likewise considers the Convention as the basis for such cooperation. In addition, the CTAF has signed numerous memorandums of understanding with its counterparts.

Tunisia has appointed national focal points but has not been involved in an exchange of personnel or other experts.

Tunisia has no legislation, arrangements or agreements that govern joint investigations.

Tunisia has no legislation relating to the use of special investigative techniques. A draft law is under preparation.

3.2. Successes and good practices

Overall, the following successes and good practices in implementing chapter IV of the Convention are highlighted:

- Tunisia may provide mutual legal assistance in the absence of dual criminality.

3.3. Challenges in implementation

The following steps could further strengthen existing anti-corruption measures:

- Consider adapting the information system to allow it to collect data and provide more nuanced and detailed statistics on requests for international cooperation relating to corruption offences;

- Tunisia is encouraged to codify practice by explicitly prohibiting extradition sought for the purpose of prosecuting or punishing a person on account of that person's sex, race, religion, nationality, ethnic origin or political opinion (article 44, paragraph 15);
- Consider adopting specific legislation which regulates mutual legal assistance in detail (article 46);
- Take the necessary measures to enable Tunisia to provide mutual legal assistance with respect to the offences covered by the Convention (except money-laundering) for which a legal person may be held liable (article 46, paragraph 2);
- Tunisia is encouraged to regulate the voluntary communication of information (article 46, paragraph 4);
- Regulate the issue of confidentiality of information and evidence transmitted during the course of a request for mutual legal assistance as well as restrictions on the use thereof (article 46, paragraphs 5, 19 and 20);
- Tunisia is encouraged to regulate hearings via videoconference (article 46, paragraph 18);
- Adopt the necessary measures relating to deadlines for executing the request for mutual legal assistance, and to monitoring the status and progress thereof on behalf of the requesting State (article 46, paragraph 24);
- Consider adopting legislation on the transfer of criminal proceedings (article 47);
- Tunisia is encouraged to strengthen law enforcement cooperation, including through the exchange of personnel (article 48, paragraph 1 (e));
- Consider entering into agreements or arrangements whereby the competent authorities concerned may establish joint investigative bodies (article 49);
- Regulate the use of special investigative techniques (article 50).

3.4. Technical assistance needs identified to improve implementation of the Convention

- Good practices/lessons learned with regard to articles 44, 45, 46, 47, 48, 49 and 50;
- Development of an action plan for implementing the Convention in relation to articles 44, 45, 46, 47, 48, 49 and 50;
- On-site assistance by an anti-corruption expert with regard to articles 44, 45, 46, 47, 48, 49 and 50;
- Capacity-building assistance for national authorities regarding articles 44, 45, 46, 47, 48, 49 and 50;
- Model treaties for articles 45 and 46;
- Model agreements or arrangements for articles 46, 48, 49 and 50.